



**COURT OF APPEALS FOR THE
FIRST DISTRICT OF TEXAS AT HOUSTON**

**CORRECTED NOTICE REGARDING DOCUMENTS FILED IN CASE
STAYED FOR BANKRUPTCY**

Appellate case name: Royce Hassell v. Hassell Construction Co., Inc., et al.

Appellate case number: 01-18-00709-CV

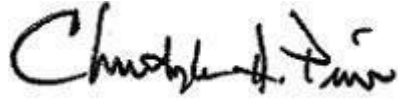
Trial court case number: 2016-87708

Trial court: 61st District Court of Harris County

This appeal is stayed pursuant to the “Amended Notice of Bankruptcy Pursuant to TRAP Rule 8” that appellant, Royce Hassell, filed in this Court on August 10, 2018. The Amended Notice states that (1) on June 30, 2018, appellant-owned The R. Hassell Holding Companies, Inc. (“RHHC”) filed a chapter 11 petition for relief, assigned to Case No. 18-33541, in the United States Bankruptcy Court for the Southern District of Texas; (2) on July 2, 2018, R. Hassell & Co., Inc. (“RHC”), owned by RHHC, filed a chapter 11 petition for relief, assigned to Case No. 18-33608, in the United States Bankruptcy Court for the Southern District of Texas; (3) on July 2, 2018, R. Hassell Builders, Inc. (“RHB”), owned by RHHC, filed a chapter 11 petition for relief, assigned to Case No. 18-33619, in the United States Bankruptcy Court for the Southern District of Texas; and (4) RHC, RHB, and RHHC are general partners in the Hassell 2012 Joint Venture, a Texas general partnership, against which an involuntary bankruptcy petition was filed on March 8, 2018, by one appellee, Phillip Hassell, which was assigned to Case No. 18-31189, in the United States Bankruptcy Court for the Southern District of Texas. *See* 11 U.S.C. § 362(a) (automatic stay in bankruptcy).

Until the parties notify the Court that the bankruptcies have concluded and move to reinstate this appeal, the Court will take no further action on this appeal other than to receive and hold any documents tendered during the period of suspension. *See* TEX. R. APP. P. 8.2 (providing bankruptcy suspends “the appeal” from date bankruptcy petition was filed until court reinstates or severs appeal in accordance with federal law).

Unless a party successfully moves to reinstate the appeal or sever the appeal with respect to the bankrupt party, this appeal will be an inactive case on the Court's docket. *See* TEX. R. APP. P. 8.3.

A handwritten signature in black ink, appearing to read "Charles D. Pine", written over a horizontal line.

Clerk's signature: _____

Date: August 23, 2018

SHERRY RADACK
CHIEF JUSTICE

TERRY JENNINGS
EVELYN KEYES
LAURA CARTER HIGLEY
JANE BLAND
MICHAEL MASSENGALE
HARVEY BROWN
RUSSELL LLOYD
JENNIFER CAUGHEY
JUSTICES



**Court of Appeals
First District of Texas
301 Fannin Street
Houston, Texas 77002-2066**

CHRISTOPHER A. PRINE
CLERK OF THE COURT

JANET WILLIAMS
CHIEF STAFF ATTORNEY

PHONE: 713-274-2700

www.txcourts.gov/1stcoa.aspx

Thursday, August 23, 2018

Silvia T. Hassell
12807 Haynes Rd., Bldg. C
Houston, TX 77066-1123
* DELIVERED VIA E-MAIL *

Bogdan Rentea
Rentea & Associates
700 Lavaca, suite 1400
Austin, TX 78701-0000
* DELIVERED VIA E-MAIL *

**RE: Court of Appeals Number: 01-18-00709-CV
Trial Court Case Number: 2016-87708**

Style: Royce Hassell v. Hassell Construction Co., Inc. et al

On this date, a notice was issued in the above-referenced cause. You may obtain a copy of the Court's notice at <http://www.search.txcourts.gov/CaseSearch.aspx?coa=coa01&s=c>.

If you have been required to provide a valid e-mail address to the Court and accept electronic service as outlined in Rule 9.1(a) and 9.4(g) of the Texas Rules of Appellate Procedure, a copy of this Notice of Distribution will be sent to you electronically via email.

For more information about a particular case, please visit the Court's website at <http://www.txcourts.gov/1stCOA>.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher A. Prine".

Christopher A. Prine, Clerk of the Court

By Michelle Gentile, Chief Deputy Clerk

cc: The Honorable Harris County District Clerk's Office - Civil (DELIVERED VIA E-MAIL)

**CHRIS DANIEL
HARRIS COUNTY DISTRICT CLERK
CIVIL/FAMILY POST TRIAL**

DATE: 8/21/2018

FIRST COURT OF APPEALS INFORMATION SHEET BY TRIAL COURT CLERK

FILED IN
1ST COURT OF APPEALS
HOUSTON, TEXAS

Note to trial court clerk: You are expected to file the clerk's record by the original due date. If you cannot, you should advise the Clerk of the First Court of Appeals immediately in writing, stating the reason and the date by which the record will be filed. Generally speaking, for good cause shown, the Court will grant no more than two extensions from the original due date, each extension not to exceed 30 days.

8/21/2018 3:00:55 PM
CHRISTOPHER A. PRINE
Clerk

Appellate Case Number 01-18-00709-CV

Trial Court Case Number: 2016-87708

Trial Court Number 61ST

Information from Trial Court Clerk

☐ The clerk's record will be completed and filed with the appellate court clerk by the original due date, subject to payment arrangements being made.

☒ The clerk's record will not be filed by the original due date. (Please state reasons below)
Reason(s): **Appellant has yet to pay for Clerk's Record; Due \$201.00.**

I believe I can file the clerk's record by _____, and I request an extension.

- ☒ Appellant has not made payment arrangements.
☒ Appellant has been notified that the clerk's record is ready.
☐ Appellant has made payment arrangements.

Clerk's Signature: /S/ DUANE C. GILMORE

DUANE C. GILMORE,
Civil/Family Post Trial Clerk
Harris County District Clerk



**COURT OF APPEALS FOR THE
FIRST DISTRICT OF TEXAS AT HOUSTON**

**NOTICE REGARDING DOCUMENTS FILED IN CASE
STAYED FOR BANKRUPTCY**

Appellate case name: Royce Hassell v. Hassell Construction Co., Inc., et al.

Appellate case number: 01-18-00709-CV

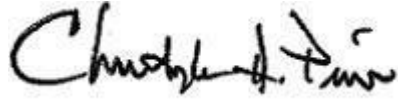
Trial court case number: 2013-87708

Trial court: 61st District Court of Harris County

This appeal is stayed pursuant to the “Amended Notice of Bankruptcy Pursuant to TRAP Rule 8” that appellant, Royce Hassell, filed in this Court on August 10, 2018. The Amended Notice states that (1) on June 30, 2018, appellant-owned The R. Hassell Holding Companies, Inc. (“RHHC”) filed a chapter 11 petition for relief, assigned to Case No. 18-33541, in the United States Bankruptcy Court for the Southern District of Texas; (2) on July 2, 2018, R. Hassell & Co., Inc. (“RHC”), owned by RHHC, filed a chapter 11 petition for relief, assigned to Case No. 18-33608, in the United States Bankruptcy Court for the Southern District of Texas; (3) on July 2, 2018, R. Hassell Builders, Inc. (“RHB”), owned by RHHC, filed a chapter 11 petition for relief, assigned to Case No. 18-33619, in the United States Bankruptcy Court for the Southern District of Texas; and (4) RHC, RHB, and RHHC are general partners in the Hassell 2012 Joint Venture, a Texas general partnership, against which an involuntary bankruptcy petition was filed on March 8, 2018, by one appellee, Phillip Hassell, which was assigned to Case No. 18-31189, in the United States Bankruptcy Court for the Southern District of Texas. *See* 11 U.S.C. § 362(a) (automatic stay in bankruptcy).

Until the parties notify the Court that the bankruptcies have concluded and move to reinstate this appeal, the Court will take no further action on this appeal other than to receive and hold any documents tendered during the period of suspension. *See* TEX. R. APP. P. 8.2 (providing bankruptcy suspends “the appeal” from date bankruptcy petition was filed until court reinstates or severs appeal in accordance with federal law).

Unless a party successfully moves to reinstate the appeal or sever the appeal with respect to the bankrupt party, this appeal will be an inactive case on the Court's docket. *See* TEX. R. APP. P. 8.3.

A handwritten signature in black ink, appearing to read "Charles D. Finn", is written over a horizontal line.

Clerk's signature: _____

Date: August 21, 2018

SHERRY RADACK
CHIEF JUSTICE

TERRY JENNINGS
EVELYN KEYES
LAURA CARTER HIGLEY
JANE BLAND
MICHAEL MASSENGALE
HARVEY BROWN
RUSSELL LLOYD
JENNIFER CAUGHEY
JUSTICES



**Court of Appeals
First District of Texas
301 Fannin Street
Houston, Texas 77002-2066**

CHRISTOPHER A. PRINE
CLERK OF THE COURT

JANET WILLIAMS
CHIEF STAFF ATTORNEY

PHONE: 713-274-2700

www.txcourts.gov/1stcoa.aspx

Tuesday, August 21, 2018

Silvia T. Hassell
12807 Haynes Rd., Bldg. C
Houston, TX 77066-1123
* DELIVERED VIA E-MAIL *

Court Reporter 61st District Court
Harris County Civil Courthouse
201 Caroline, 9th Fl
Houston, TX 77002
* DELIVERED VIA E-MAIL *

Bogdan Rentea
Rentea & Associates
700 Lavaca, suite 1400
Austin, TX 78701-0000
* DELIVERED VIA E-MAIL *

**RE: Court of Appeals Number: 01-18-00709-CV
Trial Court Case Number: 2016-87708**

Style: Royce Hassell v. Hassell Construction Co., Inc. et al

On this date, a notice was issued in the above-referenced cause. You may obtain a copy of the Court's notice at <http://www.search.txcourts.gov/CaseSearch.aspx?coa=coa01&s=c>.

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For more information about a particular case, please visit the Court's website at <http://www.txcourts.gov/1stCOA>.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher A. Prine".

Christopher A. Prine, Clerk of the Court
By Michelle Gentile, Chief Deputy Clerk

cc: The Honorable Harris County District Clerk's Office - Civil (DELIVERED VIA E-MAIL)
Judge 61st District Court (DELIVERED VIA E-MAIL)



FIRST COURT OF APPEALS
 INFORMATION SHEET BY COURT REPORTERS

FILED IN
 1st COURT OF APPEALS
 HOUSTON, TEXAS

8/17/2018 10:54:57 AM

CHRISTOPHER A. PRINE

Clerk

You are expected to file the reporter's record by the original due date. See Tex. R. App. P.35. If a reporter determines that the due date may not be met, please advise the Clerk of the Court of Appeals immediately in writing, stating the reason and the due date by which the record will be filed. Generally speaking, for good cause shown, the Court will grant no more than two extensions from the original record due date, each extension not to exceed 30 days in regular appeals and 10 days in accelerated appeals for a total period not to exceed 60 days in regular appeals and 20 days in accelerated appeals.

Appellate Case Number:

Trial Court Case Number:

(1) Is there a Reporter's Record?	Y	N
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(2) Are you the only court reporter involved in this appeal?	Y	N
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If not, please provide the names and addresses of all other court reporters below.

(3) Has the appellant requested that the reporter's record be prepared or has the trial court ordered that the record be prepared?	Y	N
--	---	---

- (4) Please select from the following options:
- A. The appellant has paid for the record.
 - B. The appellant has made arrangements to pay for the record
 - C. The appellant is appealing as indigent.
 - D. The appellant has not paid or made arrangements to pay for the record and is not appealing as indigent.

(5) Extension (fill out if extension is required for any reason other than payment)
 I was unable to file the record in this appeal by _____. I expect the record in this appeal to be approximately _____ pages. The record covers _____ days of testimony. I believe that I can file the record by _____. I ask that the court grant an extension until that time for filing the record.
 Additional Comments: _____

Court Reporter's Signature, Full Address, Email Address and Telephone Number:

Order filed, August 16, 2018.



In The
Court of Appeals
For The
First District of Texas

NO. 01-18-00709-CV

ROYCE HASSELL, Appellant

V.

HASSELL CONSTRUCTION CO., INC. ET AL, Appellee

On Appeal from the 61st District Court
Harris County, Texas
Trial Court Case 2016-87708

ORDER

The reporter's record in this case was due 08/13/2018. *See* Tex. R. App. P. 35.1. The court has not received a request to extend time for filing the record. The record has not been filed with the court. Because the reporter's record has not been filed timely, we issue the following order.

We order, the official (or substitute) court reporter, to file the record in this appeal, if any, **within 10 days** of the date of this order.

PER CURIAM

SHERRY RADACK
CHIEF JUSTICE

TERRY JENNINGS
EVELYN KEYES
LAURA CARTER HIGLEY
JANE BLAND
MICHAEL MASSENGALE
HARVEY BROWN
RUSSELL LLOYD
JENNIFER CAUGHEY
JUSTICES



**Court of Appeals
First District of Texas
301 Fannin Street
Houston, Texas 77002-2066**

CHRISTOPHER A. PRINE
CLERK OF THE COURT

JANET WILLIAMS
CHIEF STAFF ATTORNEY

PHONE: 713-274-2700

www.txcourts.gov/1stcoa.aspx

Thursday, August 16, 2018

Court Reporter 61st District Court
Harris County Civil Courthouse
201 Caroline, 9th Fl
Houston, TX 77002
* DELIVERED VIA E-MAIL *

Judge 61st District Court
201 Caroline
9th Floor
Houston, TX 77002
* DELIVERED VIA E-MAIL *

RE: Court of Appeals Number: 01-18-00709-CV Trial Court Case Number: 2016-87708

Style: Royce Hassell
v.
Hassell Construction Co., Inc. et al

On this date, an order was issued in the above-referenced cause. You may obtain a copy of the Court's order at <http://www.search.txcourts.gov/CaseSearch.aspx?coa=coa01&s=c>.

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Sincerely,

A handwritten signature in black ink, appearing to read "Christopher A. Prine".

Christopher A. Prine, Clerk of the Court
By Noemi E. Hernandez, Deputy Clerk

cc: Silvia T. Hassell (DELIVERED VIA E-MAIL)
The Honorable Harris County District Clerk's Office - Civil (DELIVERED VIA E-MAIL)

Bogdan Rentea (DELIVERED VIA E-MAIL)



FIRST COURT OF APPEALS
301 Fannin Street
Houston, Texas 77002-2066

Thursday, August 16, 2018

RE: Case No. 01-18-00709-CV

Style: Royce Hassell
v. Hassell Construction Co., Inc. et al

The clerk's record in this appeal has not been timely filed with this court. The court requests that the record be filed within 10 days of the date of this letter. If the record is not filed by that date, I will refer the matter to the court. If you are unable to file the record by that date, you should request an extension for the court to consider. If the appellant has not made arrangements for paying for the record, please advise the court in writing. See Tex. R. App. P. 35.3(a)(2) and (b)(3).

T. C. Case # 2016-87708

Christopher A. Prine, Clerk of the Court

The Honorable Harris County District Clerk's Office -
Civil
Harris County District Clerk - Civil
201 Caroline, Ste 420
Houston, TX 77002
DELIVERED VIA E-MAIL



FIRST COURT OF APPEALS
301 Fannin Street
Houston, Texas 77002-2066

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T. C. Case # 2016-87708

Christopher A. Prine, Clerk of the Court

The Honorable Harris County District Clerk's Office -
Civil
Harris County District Clerk - Civil
201 Caroline, Ste 420
Houston, TX 77002 **DELIVERED VIA E-MAIL**



FIRST COURT OF APPEALS
301 Fannin Street
Houston, Texas 77002-2066

Thursday, August 16, 2018

RE: Case No. 01-18-00709-CV

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T. C. Case # 2016-87708

Christopher A. Prine, Clerk of the Court

The Honorable Harris County District Clerk's Office -
Civil
Harris County District Clerk - Civil
201 Caroline, Ste 420
Houston, TX 77002
DELIVERED VIA E-MAIL



FIRST COURT OF APPEALS
301 Fannin Street
Houston, Texas 77002-2066

Thursday, August 16, 2018

RE: Case No. 01-18-00709-CV

Style: Royce Hassell
v. Hassell Construction Co., Inc. et al

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T. C. Case # 2016-87708

Christopher A. Prine, Clerk of the Court

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Houston, TX 77002 **DELIVERED VIA E-MAIL**



FIRST COURT OF APPEALS
301 Fannin Street
Houston, Texas 77002-2066

Thursday, August 16, 2018

RE: Case No. 01-18-00709-CV

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T. C. Case # 2016-87708

Christopher A. Prine, Clerk of the Court

Judge 61st District Court
201 Caroline
9th Floor
Houston, TX 77002
DELIVERED VIA E-MAIL



FIRST COURT OF APPEALS
301 Fannin Street
Houston, Texas 77002-2066

Thursday, August 16, 2018

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T. C. Case # 2016-87708

Christopher A. Prine, Clerk of the Court

Court Reporter 61st District Court
Harris County Civil Courthouse
201 Caroline, 9th Fl
Houston, TX 77002 **DELIVERED VIA E-MAIL**



FIRST COURT OF APPEALS
301 Fannin Street
Houston, Texas 77002-2066

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T. C. Case # 2016-87708

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FIRST COURT OF APPEALS
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T. C. Case # 2016-87708

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Silvia T. Hassell
12807 Haynes Rd., Bldg., C
Houston, TX 77066-1123 **DELIVERED VIA E-MAIL**



FIRST COURT OF APPEALS
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Houston, Texas 77002-2066

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T. C. Case # 2016-87708

Christopher A. Prine, Clerk of the Court

Bogdan Rentea
Rentea & Associates
700 Lavaca, suite 1400
Austin, TX 78701-0000
DELIVERED VIA E-MAIL

Cause No. 01-18-00709-CV

**IN THE COURT OF APPEALS
FOR THE FIRST JUDICIAL DISTRICT
AT HOUSTON, TEXAS**

FILED IN
1st COURT OF APPEALS
HOUSTON, TEXAS
8/10/2018 11:56:03 AM
CHRISTOPHER A. PRINE
Clerk

**ROYCE HASSELL,
Appellant,**

v.

**MICHAEL HASSELL, PHILLIP HASSELL, SHAWN HASSELL POTTS
AND JASON HASSELL,
Appellees.**

**On Appeal from the 61st Judicial District Court of Harris County, Texas
Trial Court Cause No. 2016-87708**

AMENDED NOTICE OF BANKRUPTCY PURSUANT TO TRAP RULE 8

TO THE HONORABLE COURT OF APPEALS:

COMES NOW ROYCE HASSELL, Appellant AND R. Hassell & Co., Inc. and R. Hassell Builders, Inc. (herein jointly “RHC”), Third Party Defendants in related case Numbers 2013-61995A and file this amended notice pursuant to Rule 8 of the Texas Rules of Appellate Procedure, “Bankruptcy in Civil Cases:”

A. Parties

1. Appellant is Royce Hassell;
2. Interested third parties are R. Hassell & Co., Inc. and R. Hassell Builders, Inc. (“RHB”) which are plaintiffs in the related case Number 2013-61995A;
3. Appellees Michael Hassell, Phillip Hassell, Shawn Hassell Potts and Jason Hassell (Appellees);

B. Legal Authority

4. Rule 8.1 of the Texas Rules of Appellate procedure provides that “[a]ny party may file a notice that a party is in bankruptcy” which notice is to contain, “(a) the bankrupt party’s name; (b) the court in which the bankruptcy proceeding is pending; (c) the bankruptcy proceeding’s style and case number; and (d) the date when the bankruptcy proceeding was filed.”

5. Appellant and R. Hassell & Co., Inc. ("RHC") notify the Court as follows: on July 2, 2018, RHC filed a chapter 11 proceeding in the United States

Bankruptcy Court for the Southern District of Texas – Houston Divisio, Case No. 33608. A copy of the petition is attached as Exhibit A’’. RHC is a corporation owned by The R. Hassell Holding Companies, Inc. ("RHHC"), which also filed on June 30, 2018, a chapter 11 proceeding in the United States Bankruptcy Court for the Southern District of Texas – Houston Division, Case No. 18-33541 (Exhibit D). RHHC, in turn, is owned by Appellant Royce Hassell. Additionally, Appellant and RHC notify the Court that on July 2, 2018, R. Hassell Builders, Inc. ("RHB"), a corporation owned by RHHC, which, in turn, is owned by Appellant Royce Hassell filed a chapter 11 petition in the United States Bankruptcy Court for the Southern District of Texas in Case No. 18-33619, styled *In re R. Hassell Builders, Inc., Debtor*. A copy of the petition is attached as Exhibit “B.”

6. RHC, RHB and RHHC are general partners in the Hassell 2012 Joint Venture, a Texas general partnership, against which an involuntary bankruptcy petition was filed on March 8, 2018, in the United States Bankruptcy Court for the Southern District of Texas – Houston Division, Case No. 18-31189, which Involuntary Petition (Exhibit “C”) was signed by one of the Appellees, Phillip Hassell (Exhibit C), as the president of another general partner, Hassell Construction Co., Inc.

7. Pursuant to the United States Bankruptcy Code, the commencement of the above-described bankruptcy cases triggered an automatic stay which precludes

further prosecution of claims pertaining to the bankruptcy estate of the Hassell 2012 Joint Venture, R. Hassell & Co., Inc. and R. Hassell Builders, Inc. *See* 11 U.S.C. Section 362(a). The current lawsuit may involve claims and causes of action that are precluded by the automatic stay imposed pursuant to the Involuntary Bankruptcy Case.

8. For the above reasons, Appellant and interested parties, RHC, pray the Court take notice of such bankruptcy filing and acknowledge the prohibitions of the automatic stay until further appropriate court orders.

Respectfully submitted this 9th day of August, 2018.

Respectfully submitted,

PENDERGRAFT & SIMON, LLP

/s/ Leonard H. Simon

By: Leonard H. Simon, Esq.

TBN: 18387400; SDOT: 8200

lsimon@pendergraffsimon.com

Robert L. Pendergraft

TBN: 15743500; SDOT: 730

rlp@pendergraffsimon.com

America Tower

2929 Allen Parkway, Suite 200

Houston, Texas 77019

(713) 737-8207 (Direct Phone)

(832) 202-2810 (Direct Fax)

(713) 528-8555 (Main Phone)

(713) 868-1267 (Main Fax)

**ATTORNEY FOR ROYCE HASSELL
AND R. HASSELL & COMPANY, INC
AND R. HASSELL BUILDERS, INC.**

CERTIFICATE OF SERVICE

I hereby certify that on August 10, 2018, a true and correct copy of the above *Amended Notice of Bankruptcy Pursuant to T.R.A.P. 8* has been served on all counsel of record in accordance by Texas E-File and Serve as follows:

Bogdan Rentea
Rentea & Associates
700 Lavaca, Suite 1400
Austin, Texas 78701
brentea@rentealaw.com

/s/ Leonard H. Simon
Leonard H. Simon

EXHIBIT “A”

Fill in this information to identify the case:

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF TEXASCase number (if known): _____ Chapter **11**☐ Check if this is an amended filingOfficial Form 201**Voluntary Petition for Non-Individuals Filing for Bankruptcy****04/16**

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, Instructions for Bankruptcy Forms for Non-Individuals, is available.

1. Debtor's name R. Hassell & Co., Inc.
2. All other names debtor used in the last 8 years
Include any assumed names, trade names and *doing business as* names
3. Debtor's federal Employer Identification Number (EIN) 7 6 - 0 3 4 6 4 9 4
4. Debtor's address
- | Principal place of business | Mailing address, if different from principal place of business |
|---|---|
| <u>12807 Haynes Rd, Bldg C</u>
Number Street | _____
Number Street |
| _____
P.O. Box | _____ |
| <u>HOUSTON TX 77066-1123</u>
City State ZIP Code | _____
City State ZIP Code |
| <u>Harris</u>
County | Location of principal assets, if different from principal place of business |
| | _____
Number Street |
| | _____
City State ZIP Code |
5. Debtor's website (URL) _____
6. Type of debtor
- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
- ☐ Partnership (excluding LLP)
- ☐ Other. Specify: _____

Debtor **R. Hassell & Co., Inc.**

Case number (if known) _____

7. Describe debtor's business*A. Check one:*

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>

8. Under which chapter of the Bankruptcy Code is the debtor filing?*Check one:*

- ☐ Chapter 7
- ☐ Chapter 9
- ☒ Chapter 11. *Check all that apply:*

- ☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy Under Chapter 11 (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**☐ No

☒ Yes. District **Southern District of Texas - H** When **02/05/2015** Case number **15-30781**
MM / DD / YYYY

District **Southern District of Texas - H** When **02/05/2015** Case number **15-32751**
MM / DD / YYYY

District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

Debtor **R. Hassell & Co., Inc.**

Case number (if known) _____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

List all cases. If more than 1, attach a separate list.

☐ No☒ Yes. Debtor **Hassell 2012 Joint Venture** Relationship **Debtor is Partner**District **Southern District of Texas - Houston Di** When **02/08/2018**

MM / DD / YYYY

Case number, if known **18-31189**Debtor **R. Hassell Holding Company, Inc.** Relationship **Debtor is 100% Subsidiary**District **Southern District of Texas - Houston Di** When **06/29/2018**

MM / DD / YYYY

Case number, if known **18-33541****11. Why is the case filed in this district?**

Check all that apply:

☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**☒ No☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.**Why does the property need immediate attention?** (Check all that apply.)☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? _____

☐ It needs to be physically secured or protected from the weather.☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).☐ Other _____**Where is the property?**

Number Street

City

State

ZIP Code

Is the property insured?☐ No☐ Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information**13. Debtor's estimation of available funds**

Check one:

☒ Funds will be available for distribution to unsecured creditors.☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

Debtor **R. Hassell & Co., Inc.**

Case number (if known) _____

- 14. Estimated number of creditors**
- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5,001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |
- 15. Estimated assets**
- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |
- 16. Estimated liabilities**
- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

- 17. Declaration and signature of authorized representative of debtor**
- ☒ The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
 - ☒ I have been authorized to file this petition on behalf of the debtor.
 - ☒ I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **07/02/2018**

MM / DD / YYYY

X /s/ Royce J. Hassell

Signature of authorized representative of debtor

Royce J. Hassell

Printed name

Title **President**

18. Signature of attorney

X /s/ Leonard H. Simon

Signature of attorney for debtor

Date **07/02/2018**

MM / DD / YYYY

Leonard H. Simon

Printed name

Pendergraft & Simon

Firm name

The American Tower

Number Street

2929 Allen Parkway Suite 200

Houston

City

TX

State

77019

ZIP Code

(713) 528-8555

Contact phone

lsimon@pendergrachtsimon.com

Email address

TBN-18387400 SDOT-8200

Bar number

State

EXHIBIT “B”

Fill in this information to identify the case:United States Bankruptcy Court for the:
SOUTHERN DISTRICT OF TEXASCase number (if known): _____ Chapter **11**☐ Check if this is an amended filing**Official Form 201****Voluntary Petition for Non-Individuals Filing for Bankruptcy****04/16**

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, Instructions for Bankruptcy Forms for Non-Individuals, is available.

1. Debtor's name **R. Hassell Builders, Inc.**
2. All other names debtor used in the last 8 years
Include any assumed names, trade names and *doing business as* names
3. Debtor's federal Employer Identification Number (EIN) **7 6 - 0 5 0 2 5 1 4**
4. Debtor's address
- | Principal place of business | Mailing address, if different from principal place of business |
|---|---|
| 12807 HAYNES RD BLDG C
Number Street | Number Street |
| _____ | P.O. Box |
| _____ | _____ |
| HOUSTON TX 77066-1123
City State ZIP Code | City State ZIP Code |
| Harris
County | Location of principal assets, if different from principal place of business |
| | Number Street |
| | _____ |
| | City State ZIP Code |
5. Debtor's website (URL) _____
6. Type of debtor
- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
- ☐ Partnership (excluding LLP)
- ☐ Other. Specify: _____

Debtor R. Hassell Builders, Inc.

Case number (if known) _____

7. Describe debtor's business**A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>

8. Under which chapter of the Bankruptcy Code is the debtor filing?**Check one:**

- ☐ Chapter 7
☐ Chapter 9
☒ Chapter 11. **Check all that apply:**

- ☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy Under Chapter 11 (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**☐ No

☒ Yes. District Southern District of Texas - H When 02/05/2015 Case number 15-30781
MM / DD / YYYY

District Southern District of Texas - H When 02/05/2015 Case number 15-32751
MM / DD / YYYY

District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

Debtor R. Hassell Builders, Inc.

Case number (if known) _____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☐ No☒ Yes.Debtor Hassell 2012 Joint VentureRelationship Debtor is PartnerDistrict Southern District of Texas - Houston Di

When

02/28/2018Case number, if known 18-31189

MM / DD / YYYY

List all cases. If more than 1, attach a separate list.

Debtor R. Hassell Holding Company, Inc.Relationship Debtor is 100% SubsidiaryDistrict Southern District of Texas - Houston Di

When

06/29/2018Case number, if known 18-33541

MM / DD / YYYY

11. Why is the case filed in this district?

Check all that apply:

☒

Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.

☐

A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No☐ Yes.

Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention?

(Check all that apply.)

☐

It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? _____

☐

It needs to be physically secured or protected from the weather.

☐

It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐

Other _____

Where is the property?

Number Street

City

State

ZIP Code

Is the property insured?

☐ No☐ Yes.

Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

☒

Funds will be available for distribution to unsecured creditors.

After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

Debtor **R. Hassell Builders, Inc.**

Case number (if known) _____

14. Estimated number of creditors
- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5,001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |
15. Estimated assets
- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |
16. Estimated liabilities
- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor
- ☒ The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
 - ☒ I have been authorized to file this petition on behalf of the debtor.
 - ☒ I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 07/02/2018
MM / DD / YYYY

X /s/ Royce J. Hassell

Signature of authorized representative of debtor

Royce J. Hassell

Printed name

Title President

18. Signature of attorney

X /s/ Leonard H. Simon

Signature of attorney for debtor

Date 07/02/2018

MM / DD / YYYY

Leonard H. Simon

Printed name

Pendergraft & Simon

Firm name

The American Tower

Number Street

2929 Allen Parkway Suite 200

Houston

City

TX

State

77019

ZIP Code

(713) 528-8555

Contact phone

lsimon@pendergrachtsimon.com

Email address

TBN-18387400 SDOT-8200

Bar number

State

EXHIBIT “C”

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Southern District of Texas
(State)

Case number (If known): Chapter 7

☐ Check if this is an amended filing**Official Form 205****Involuntary Petition Against a Non-Individual**

12/15

Use this form to begin a bankruptcy case against a non-individual you allege to be a debtor subject to an involuntary case. If you want to begin a case against an individual, use the *Involuntary Petition Against an Individual* (Official Form 105). Be as complete and accurate as possible. If more space is needed, attach any additional sheets to this form. On the top of any additional pages, write debtor's name and case number (if known).

Part 1: Identify the Chapter of the Bankruptcy Code Under Which Petition Is Filed**1. Chapter of the Bankruptcy Code**

Check one:

☒ Chapter 7☐ Chapter 11**Part 2:** Identify the Debtor**2. Debtor's name** Hassell 2012 Joint Venture**3. Other names you know the debtor has used in the last 8 years**

Include any assumed names, trade names, or doing business as names.

4. Debtor's federal Employer Identification Number (EIN)☐ Unknown4 7 - 2 9 8 5 8 4 2
EIN**5. Debtor's address****Principal place of business**12512 Cutten Road
Number Street

Suite A

Houston TX 77066
City State ZIP CodeHarris
County**Mailing address, if different**

Number Street

P.O. Box

City State ZIP Code

Location of principal assets, if different from principal place of business

Number Street

City State ZIP Code

Debtor Hassell 2012 Joint Venture Case number (if known) _____
 Name

6. Debtor's website (URL) _____

7. Type of debtor

- ☐ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☒ Partnership (excluding LLP)
☐ Other type of debtor. Specify: _____

8. Type of debtor's business

Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the types of business listed.
☐ Unknown type of business.

9. To the best of your knowledge, are any bankruptcy cases pending by or against any partner or affiliate of this debtor?

- ☒ No
☐ Yes. Debtor _____ Relationship _____
 District _____ Date filed _____ Case number, if known _____
 MM / DD / YYYY
 Debtor _____ Relationship _____
 District _____ Date filed _____ Case number, if known _____
 MM / DD / YYYY

Part 3: Report About the Case

10. Venue

Check one:

- ☒ Over the last 180 days before the filing of this bankruptcy, the debtor had a domicile, principal place of business, or principal assets in this district longer than in any other district.
☐ A bankruptcy case concerning debtor's affiliates, general partner, or partnership is pending in this district.

11. Allegations

Each petitioner is eligible to file this petition under 11 U.S.C. § 303(b).

The debtor may be the subject of an involuntary case under 11 U.S.C. § 303(a).

At least one box must be checked:

- ☒ The debtor is generally not paying its debts as they become due, unless they are the subject of a bona fide dispute as to liability or amount.
☐ Within 120 days before the filing of this petition, a custodian, other than a trustee, receiver, or an agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.

12. Has there been a transfer of any claim against the debtor by or to any petitioner?

- ☒ No
☐ Yes. Attach all documents that evidence the transfer and any statements required under Bankruptcy Rule 1003(a).

Debtor Hassell 2012 Joint Venture Case number (if known) _____
 Name

13. Each petitioner's claim

Name of petitioner

Nature of petitioner's claim

Amount of the claim
above the value of
any lien

Hassell Construction Co., Inc.

Partner 303(b)(3)(A)

\$ _____

\$ _____

\$ _____

Total of petitioners' claims

\$ _____

If more space is needed to list petitioners, attach additional sheets. Write the alleged debtor's name and the case number, if known, at the top of each sheet. Following the format of this form, set out the information required in Parts 3 and 4 of the form for each additional petitioning creditor, the petitioner's claim, the petitioner's representative, and the petitioner's attorney. Include the statement under penalty of perjury set out in Part 4 of the form, followed by each additional petitioner's (or representative's) signature, along with the signature of the petitioner's attorney.

Part 4: Request for Relief

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Petitioners request that an order for relief be entered against the debtor under the chapter of 11 U.S.C. specified in this petition. If a petitioning creditor is a corporation, attach the corporate ownership statement required by Bankruptcy Rule 1010(b). If any petitioner is a foreign representative appointed in a foreign proceeding, attach a certified copy of the order of the court granting recognition.

I have examined the information in this document and have a reasonable belief that the information is true and correct.

Petitioners or Petitioners' Representative

Name and mailing address of petitioner

Hassell Construction Company, Inc.

Name

12522 Cutten Rd

Number Street

Houston

City

TX

State

77066

ZIP Code

Name and mailing address of petitioner's representative, if any

James P. Hassell, President

Name

12522 Cutten Rd

Number Street

Houston

City

TX

State

77066

ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 03/07/2018

MM / DD / YYYY

X /s/James P.Hassell

Signature of petitioner or representative, including representative's title

Attorneys

Ron Satija

Printed name

Hajjar Peters LLP

Firm name, if any

3144 Bee Caves Rd

Number Street

Austin

City

TX

State

78746

ZIP Code

Contact phone (512) 637-4956

Email rsatija@legalstrategy.com

Bar number 24039158

State Texas

X /s/ Ron Satija

Signature of attorney

Date signed 03/08/2018

MM / DD / YYYY

Debtor Hassell 2012 Joint Venture Case number (if known) _____
Name _____

Name and mailing address of petitioner

Name

Number Street

City State ZIP Code

Name and mailing address of petitioner's representative, if any

Name

Number Street

City State ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____
MM / DD / YYYY

X

Signature of petitioner or representative, including representative's title

Printed name

Firm name, if any

Number Street

City State ZIP Code

Contact phone _____ Email _____

Bar number _____

State _____

X

Signature of attorney

Date signed _____
MM / DD / YYYY

Name and mailing address of petitioner

Name

Number Street

City State ZIP Code

Name and mailing address of petitioner's representative, if any

Name

Number Street

City State ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____
MM / DD / YYYY

X

Signature of petitioner or representative, including representative's title

Printed name

Firm name, if any

Number Street

City State ZIP Code

Contact phone _____ Email _____

Bar number _____

State _____

X

Signature of attorney

Date signed _____
MM / DD / YYYY

EXHIBIT “D”

Fill in this information to identify the case:

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF TEXASCase number (if known): _____ Chapter **11**☐ Check if this is an amended filingOfficial Form 201**Voluntary Petition for Non-Individuals Filing for Bankruptcy****04/16**

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, Instructions for Bankruptcy Forms for Non-Individuals, is available.

1. Debtor's name R. Hassell Holding Companies, Inc.
2. All other names debtor used in the last 8 years
Include any assumed names, trade names and *doing business as* names
3. Debtor's federal Employer Identification Number (EIN) 7 6 - 0 6 5 7 7 3 3
4. Debtor's address

Principal place of business <u>12807 HAYNES RD BLDG C</u> Number Street <u>HOUSTON TX 77066-1123</u> City State ZIP Code <u>Harris</u> County	Mailing address, if different from principal place of business Number Street P.O. Box City State ZIP Code Location of principal assets, if different from principal place of business Number Street City State ZIP Code
--	---
5. Debtor's website (URL) _____
6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☐ Other. Specify: _____

Debtor **R. Hassell Holding Companies, Inc.**

Case number (if known) _____

7. Describe debtor's business*A. Check one:*

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>

8. Under which chapter of the Bankruptcy Code is the debtor filing?*Check one:*

- ☐ Chapter 7
- ☐ Chapter 9
- ☒ Chapter 11. *Check all that apply:*

- ☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy Under Chapter 11 (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**☐ No

☒ Yes. District **Southern District of Texas - H** When **02/05/2015** Case number **15-30781**
MM / DD / YYYY

District **Southern District of Texas - H** When **02/05/2015** Case number **15-32751**
MM / DD / YYYY

District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

Debtor **R. Hassell Holding Companies, Inc.**

Case number (if known) _____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

List all cases. If more than 1, attach a separate list.

☐ No☒ Yes. Debtor **Hassell 2012 Joint Venture** Relationship **Debtor is Partner**District **Southern District of Texas - Houston District** When **03/08/2018**

MM / DD / YYYY

Case number, if known **18-31189**

Debtor _____ Relationship _____

District _____ When _____

MM / DD / YYYY

Case number, if known _____

11. Why is the case filed in this district?

Check all that apply:

☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**☒ No☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.**Why does the property need immediate attention?** (Check all that apply.)☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? _____

☐ It needs to be physically secured or protected from the weather.☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).☐ Other _____**Where is the property?**

Number _____ Street _____

City _____

State _____

ZIP Code _____

Is the property insured?☐ No☐ Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information**13. Debtor's estimation of available funds**

Check one:

☒ Funds will be available for distribution to unsecured creditors.☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

Debtor **R. Hassell Holding Companies, Inc.**

Case number (if known) _____

14. Estimated number of creditors	<input checked="" type="checkbox"/> 1-49	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 25,001-50,000
	<input type="checkbox"/> 50-99	<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 50,001-100,000
	<input type="checkbox"/> 100-199	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> More than 100,000
	<input type="checkbox"/> 200-999		
15. Estimated assets	<input type="checkbox"/> \$0-\$50,000	<input checked="" type="checkbox"/> \$1,000,001-\$10 million	<input type="checkbox"/> \$500,000,001-\$1 billion
	<input type="checkbox"/> \$50,001-\$100,000	<input type="checkbox"/> \$10,000,001-\$50 million	<input type="checkbox"/> \$1,000,000,001-\$10 billion
	<input type="checkbox"/> \$100,001-\$500,000	<input type="checkbox"/> \$50,000,001-\$100 million	<input type="checkbox"/> \$10,000,000,001-\$50 billion
	<input type="checkbox"/> \$500,001-\$1 million	<input type="checkbox"/> \$100,000,001-\$500 million	<input type="checkbox"/> More than \$50 billion
16. Estimated liabilities	<input type="checkbox"/> \$0-\$50,000	<input checked="" type="checkbox"/> \$1,000,001-\$10 million	<input type="checkbox"/> \$500,000,001-\$1 billion
	<input type="checkbox"/> \$50,001-\$100,000	<input type="checkbox"/> \$10,000,001-\$50 million	<input type="checkbox"/> \$1,000,000,001-\$10 billion
	<input type="checkbox"/> \$100,001-\$500,000	<input type="checkbox"/> \$50,000,001-\$100 million	<input type="checkbox"/> \$10,000,000,001-\$50 billion
	<input type="checkbox"/> \$500,001-\$1 million	<input type="checkbox"/> \$100,000,001-\$500 million	<input type="checkbox"/> More than \$50 billion

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

- 17. Declaration and signature of authorized representative of debtor**
- ☒ The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
 - ☒ I have been authorized to file this petition on behalf of the debtor.
 - ☒ I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **06/29/2018**

MM / DD / YYYY

X /s/ Royce J. Hassell

Signature of authorized representative of debtor

Royce J. Hassell

Printed name

Title **President****18. Signature of attorney****X /s/ Leonard H. Simon**

Signature of attorney for debtor

Date **06/29/2018**

MM / DD / YYYY

Leonard H. Simon

Printed name

Pendergraft & Simon

Firm name

The American Tower

Number Street

2929 Allen Parkway Suite 200**Houston**

City

TX

State

77019

ZIP Code

(713) 528-8555

Contact phone

lsimon@pendergrachtsimon.com

Email address

TBN-18387400 SDOT-8200

Bar number

State

AMI
710 N. Post Oak Road, Suite 208
Houston, TX 77024

Barry Conge Harris LLP
1800 West Loop South, Suite 750
Houston, TX 77027

Buck Keenan, LLP
700 Louisiana, Suite 5100
Houston, TX 77002

Carol Davis Reporting, Records & Video,
7838 Hillmont
Houston, TX 77040

Chase Card Services
P.O. Box 94014
Palatine, IL 60094-4014

Coats Rose Judgment

Ford 2015 F250
P.O. Box 15271
Irving, TX 75015-2271

Ford 2017 F250
P.O. Box 15271
Irving, TX 75015-2271

Ford 2017 F450
P.O. Box 15271
Irving, TX 75015-2271

Ford Mustang
P.O. Box 15271
Irving, TX 75015-2271

HSSK
952 Echo Lane, Suite 200
Houston, TX 77024

Interface Consulting Int'l, Inc.
One Riverway, Ste. 2350
Houston, TX 77056

Juan Gonzalez
5302 Maple
Bellaire, TX 77401

Lexitas
P.O. Box 4227
Houston, TX 77210-4227

Locke Lord LLP
600 Travis, Suite 2800
Houston, TX 77002

Omnivere, LLC
P.O. Box 71727
Chicago, IL 60694-1727

R. Hassell & Co., Inc.
12807 Haynes Road, Bldg. C
Houston, TX 77066

R. Hassell Builders, Inc.
12807 Haynes Road, Bldg. C
Houston, TX 77066

R. Hassell Properties, Inc.
12807 Haynes Road, Bldg. C
Houston, TX 77066

Royce & Silvia Hassell (retainer for Int
5302 Maple
Bellaire, TX 77401

Royce J. Hassell
12807 Haynes Road, Bldg. C
Houston, TX 77066

Royce J. Hassell (reimb. legal bills pd.
5302 Maple
Bellaire, TX 77401

Texan Floor
2055 Silber, Suite 108
Houston, TX 77055

Texas Capital (Addendum 5)
2350 Lakeside Blvd., Suite 605
Richardson, TX 75082

Texas Capital (PC 200)
2350 Lakeside Blvd., Suite 605
Richardson, TX 75082

Texas Capital Bank (Addendum #3)
2350 Lakeside Boulevard, Suite 605
Richardson, TX 75082

Xact Data Discovery - DATX
P.O. Box 6594
Carol Stream, IL 60197-6594

Cause No. 01-18-00709-CV

**IN THE COURT OF APPEALS
FOR THE FIRST JUDICIAL DISTRICT
AT HOUSTON, TEXAS**

FILED IN
1st COURT OF APPEALS
HOUSTON, TEXAS
8/8/2018 2:34:42 PM
CHRISTOPHER A. PRINE
Clerk

ROYCE HASSELL,

Appellant,

v.

**MICHAEL HASSELL, PHILLIP HASSELL, SHAWN HASSELL POTTS
AND JASON HASSELL,**

Appellees.

On Appeal from the 61st Judicial District Court of Harris County, Texas

Trial Court Cause No. 2016-87708

NOTICE OF BANKRUPTCY PURSUANT TO TRAP RULE 8

TO THE HONORABLE COURT OF APPEALS:

COMES NOW ROYCE HASSELL, Appellant and interested parties R. Hassell & Co., Inc. and R. Hassell Builders, Inc. (herein jointly “RHC”), which are third party defendants in related case Numbers 2013-61995A; *R. Hassell & Co., Inc., et al v. CommunityBank of Texas, N.A.*, and file this notice pursuant to Rule 8 of the Texas Rules of Appellate Procedure, “Bankruptcy in Civil Cases:”

A. Parties

1. Appellant is Royce Hassell.
2. Interested third parties are R. Hassell & Co., Inc. and R. Hassell Builders, Inc. (“RHB”) which are plaintiffs in the related case Number 2013-61995A.

3. Appellees are Michael Hassell, Phillip Hassell, Shawn Hassell Potts and Jason Hassell (Appellees).

B. Legal Authority

4. Rule 8.1 of the Texas Rules of Appellate procedure provides that “[a]ny party may file a notice that a party is in bankruptcy” which notice is to contain, “(a) the bankrupt party’s name; (b) the court in which the bankruptcy proceeding is pending; (c) the bankruptcy proceeding’s style and case number; and (d) the date when the bankruptcy proceeding was filed.”

5. Appellant and RHC notify the Court that on July 2, 2018, R. Hassell & Co., Inc., a corporation owned by Royce Hassell which is a partner in the Hassell 2012 Joint Venture, filed a chapter 11 petition in the United States Bankruptcy Court for the Southern District of Texas in Cause No. 18-33608, styled, *In re R. Hassell & Co., Inc., Debtor*. A copy of the petition is attached as Exhibit A”. Additionally, Appellant notifies the Court that on July 2, 2018, R. Hassell Builders, Inc., a corporation owned by Royce Hassell which corporation is a partner in the Hassell 2012 Joint Venture, filed a chapter 11 petition in the United States Bankruptcy Court for the Southern District of Texas in Case No. 18-33619, styled *In re R. Hassell Builders, Inc., Debtor*. A copy of the petition is attached as Exhibit “B.”

6. Additionally, Appellant and RHC notify the Court that on March 8, 2018, Appellee, Phillip Hassell, signed an involuntary bankruptcy petition on behalf of the Hassell 2012 Joint Venture, a partnership of corporations including Hassell Construction Company, Inc., RHC, RHB and RHHC (Exhibit C). The case is still pending.

7. Pursuant to the United States Bankruptcy Code, the commencement of the above-described bankruptcy cases triggered an automatic stay which precludes further prosecution of claims pertaining to the bankruptcy estate of the Hassell 2012 Joint Venture, R. Hassell & Co., Inc. and R. Hassell Builders, Inc. See 11 U.S.C. Section 362(a). The current lawsuit may involve claims and causes of action that

are precluded by the automatic stay imposed pursuant to the Involuntary Bankruptcy Case.

8. For the above reasons, Appellant and interested parties pray the Court take notice of such bankruptcy filing and acknowledge the prohibitions of the automatic stay until further appropriate court orders.

Respectfully submitted this 8th day of August, 2018.

Respectfully submitted,

PENDERGRAFT & SIMON, LLP

/s/ Leonard H. Simon

By: Leonard H. Simon, Esq.

TBN: 18387400; SDOT: 8200

lsimon@pendergrafftsimon.com

Robert L. Pendergraft

TBN: 15743500; SDOT: 730

rlp@pendergrafftsimon.com

America Tower

2929 Allen Parkway, Suite 200

Houston, Texas 77019

(713) 737-8207 (Direct Phone)

(832) 202-2810 (Direct Fax)

(713) 528-8555 (Main Phone)

(713) 868-1267 (Main Fax)

**ATTORNEY FOR ROYCE HASSELL
AND R. HASSELL & COMPANY, INC
AND R. HASSELL BUILDERS, INC.**

CERTIFICATE OF SERVICE

I hereby certify that on August 8, 2018, a true and correct copy of the above *Notice of Bankruptcy Pursuant to T.R.A.P. 8* has been served on all counsel of record in accordance with the Texas Rules of Civil Procedure by Texas E-File and Serve.

/s/ Leonard H. Simon

Leonard H. Simon

SHERRY RADACK
CHIEF JUSTICE

TERRY JENNINGS
EVELYN KEYES
LAURA CARTER HIGLEY
JANE BLAND
MICHAEL MASSENGALE
HARVEY BROWN
RUSSELL LLOYD
JENNIFER CAUGHEY
JUSTICES



**Court of Appeals
First District
301 Fannin Street
Houston, Texas 77002-2066**

CHRISTOPHER A. PRINE
CLERK OF THE COURT

JANET WILLIAMS
CHIEF STAFF ATTORNEY

PHONE: 713-274-2700

www.txcourts.gov/1stcoa.aspx

August 7, 2018

Silvia T. Hassell
12807 Haynes Rd., Bldg. C
Houston, TX 77066-1123
* DELIVERED VIA E-MAIL *

Bogdan Rentea
Rentea & Associates
700 Lavaca, suite 1400
Austin, TX 78701-0000
* DELIVERED VIA E-MAIL *

RE: Court of Appeals Number: 01-18-00709-CV
Trial Court Case Number: 2016-87708

Style: Royce Hassell v. Hassell Construction Co., Inc. et al

GENERAL INFORMATION

On **Monday, August 6, 2018**, a letter of assignment from the **61st District Court** trial-court clerk and a copy of the notice of appeal filed by **Royce Hassell** in the trial court was received and docketed as Cause Number **01-18-00709-CV**. This **Notice** contains information about some of the rules and procedures that govern prosecution of an appeal pending before the First Court of Appeals.

Texas Rule of Appellate Procedure 9.6 requires parties and counsel to communicate about a pending appeal only through the Clerk's office and they may not communicate with either the justices or their staff about a case. It is also improper to send a document to the Court about an appeal unless a copy of it is served on all other parties to the appeal at the same time. See TEX. R. APP. P. 9.5(d), (e).

Effective January 1, 2014, **all attorneys in civil cases and criminal cases** must electronically file all documents (except a document submitted under seal or subject to a motion to seal) through the EfileTexas.gov electronic filing system. A party representing themselves pro se (without an attorney) in a civil case, is encouraged to e-file documents, but is not required to do so. Electronically filed documents must conform to TEX. R. APP. P. 9.4 and must be completed through EfileTexas.gov, <http://www.efiletexas.gov>. Electronically filed briefs must comply with TEX. R. APP. P. 9.4 and with the Texas Supreme Court's Redaction Guidelines found at <http://www.supreme.courts.state.tx.us/ebriefs/RedactionGuidelines.pdf>.

INFORMATION ABOUT THE FILING FEE

Unless an appellant is exempt from paying filing fees or has established an inability to pay filing fees, the appellant must pay the required \$205 filing fee to prosecute the appeal. *See* TEX. R. APP. P. 5 (requiring payment of fees in civil cases unless excused) and 20.1 (listing requirements for establishing an inability to pay costs).

This letter is **NOTICE** to the appellant that the required filing fee must be paid **within twenty (20) days** of the date of this notice. A party who files electronically may pay by credit card through the Tex.gov process. Or, a party may pay with cash in person at the Clerk's office, 301 Fannin, Houston, Texas 77002. A filer may also pay by (1) a money order, cashier's check, or certified check issued by a U.S. financial institution or (2) a money order issued by the United States Postal Service. A money order or a check must be made payable to "Clerk, First Court of Appeals."

There is only one \$205 filing fee for each appellate case, regardless of how many appellants there may be, or if multiple notices of appeal are filed. Multiple appellants who are not indigent or exempt must determine amongst themselves how the filing fee will be paid.

INFORMATION ABOUT THE APPELLATE RECORD

This letter is **NOTICE** to the appellant that the Court may dismiss an appeal for want of prosecution, if the clerk's record is not filed and it is appellant's fault. *See* TEX. R. APP. P. 37.3(b); 42.3. This letter is also **NOTICE** to the appellant that if it is appellant's fault that the reporter's record is not filed, the Court may decide the appeal on those issues or points that do not require a reporter's record for a decision. *See* TEX. R. APP. P. 37.3(c). Any motion related to informalities in the manner of bringing this appeal must be filed within thirty (30) days after the appellate record is filed. TEX. R. APP. P. 10.5(a).

To obtain the clerk's record and reporter's record without payment of costs, a party must file a Statement of Inability to Afford Payment of Court Costs and establish an inability to pay cost in the trial court. *See* Tex. R. Civ. P. 145. Unless an appellant has established an inability to pay costs in the trial, the trial-court clerk and court reporter are not required to file the clerk's and reporter's records until appellant has paid the required fees to prepare and certify the records, or has made satisfactory arrangements to pay the fees. *See* TEX. R. APP. P. 35.3(a)(2), (b)(3).

From information currently available, it appears that the trial court signed the final judgment or other appealable order on July 23, 2018. Because the notice of appeal indicates that a post-judgment motion was not filed, unless the Court receives information to the contrary, the trial court clerk is due to file the clerk's record and the court reporter is due to file the reporter's record on or before **Monday, August 13, 2018**.

The appellant and/or appellee should inform the Court as soon as possible if (1) this appeal is accelerated or (2) if there is disagreement about (a) the date the trial court signed the final judgment or appealable order or (b) whether a post-judgment motion or request for findings of fact and conclusions of law was timely filed in the trial court.

It is **mandatory** that both the clerk's record and the reporter's record be filed electronically. Both the trial-court clerk and the court reporter are asked to complete the information sheet on the "Forms" page of the Court's website, <http://www.txcourts.gov/1stcoa/practice-before-the-court/forms.aspx>, and file it with the Court within ten (10) days of the date of this Notice. The parties do not need to file a motion to extend time to file either the clerk's record or the reporter's record. See Texas Rules of Appellate Procedure 34.5(b)(1), (c)(2), 35.3(c), and 35.6(b)(1) and Appendix C of the Texas Rules of Appellate Procedure for electronic filing related to preparation of the appellate record.

Parties are encouraged to work together and with the trial court clerk and court reporter to properly designate all necessary items and portions of the testimony to be included in the initial records. The Court generally will not grant a motion to extend time to file a brief because a party requests to supplement the record with an item or portion of the testimony that the party did not timely designate for inclusion in the initial clerk's record or reporter's record. See TEX. R. APP. P. 10.5(b), 34.5(c)(1), 34.6(d), 38.6(d).

INFORMATION ABOUT FILING DOCUMENTS

Texas Rule of Appellate Procedure 9.3 controls the number of paper copies and documents filed in paper form. All documents must include a certificate of service. See Tex. R. App. P. 9.5(d), (e). All civil motions must include a certificate of conference, TEX. R. APP. P. 10.1(a)(5), and require a \$10 filing fee, unless the movant has established indigence or is exempt from the advance payment of filing fees, e.g., the State or a political subdivision of the State. See TEX. R. APP. P. 5; FEES CIV. CASES B (3); Op. Tex Att'y Gen. No. DM-459 (1997). The Court treats a civil motion requesting multiple types of relief as separate motions and requires a separate \$10 filing fee for each motion.

INFORMATION ABOUT THE DOCKETING STATEMENT

An appellant is required to file a docketing statement. See TEX. R. APP. P. 42.3. Until the clerk's record is filed, the docketing statement is the primary source of accurate information about a newly-filed appeal. The information is used to establish appellate deadlines and to send notices to the correct parties at the correct addresses. The "Forms" section of the Court's website includes a docketing statement or the appellant may call the Clerk's office and ask that one be mailed. In this case, the Docketing Statement should be filed **within twenty (20) days** of the date of this notice.

Section XIV must be completed if an appellant believes that his/her civil appellate matter may qualify for the Pro Bono Program sponsored and administered solely by the State Bar of Texas (SBOT) and the Houston Bar Association's Appellate Practice Section (HBA). See the following websites for information: (1) State Bar of Texas Pro Bono Program, First Court of Appeals, <http://www.tex-app.org/DrawOnePage.aspx?PageID=82>; (2) the Houston Bar Association's website, <http://www.hba.org/services/>; and (3) <http://www.txcourts.gov/1stCOA>, Practice Before the Court, Forms, Civil Docketing Statement.

Section XII of the docketing statement is an optional section that requests information related to potential participation in an alternate dispute resolution process or mediation. The Court strongly encourages the parties to provide this information due to the successful history of alternative dispute resolution/mediation processes, even in cases where such success initially appeared unlikely.

INFORMATION ABOUT BRIEFS

Effective January 1, 2014, **all attorneys in civil cases and criminal cases** must electronically file all documents (except a document submitted under seal or subject to a motion to seal) through the EfileTexas.gov electronic filing system. A party representing themselves pro se (without an attorney) in a civil case, is encouraged to e-file documents, but is not required to do so. Electronically filed documents must conform to TEX. R. APP. P. 9.4 and must be completed through EfileTexas.gov, <http://www.efiletexas.gov>. Electronically filed briefs must comply with TEX. R. APP. P. 9.4 and with the Texas Supreme Court's Redaction Guidelines found at <http://www.txcourts.gov/media/124902/redactionguidelines.pdf>.

INFORMATION ABOUT ATTORNEYS APPEARING BEFORE THE COURT

Texas Rule of Appellate Procedure 6 governs matters related to an attorney's representation of a party before the Court. Attorneys must promptly notify the Clerk's office of any change of address or change in designation of the lead counsel for a party. A nonresident attorney who is not a member of the State Bar of Texas must satisfy the requirements for participation in a Texas legal matter found on the Board of Law Examiners' website <http://www.ble.state.tx.us>.

INFORMATION ABOUT NOTICES TO PARTIES

Notice must be sent to all parties of any judgment, mandate, or order issued. *See* Tex. R. App. P. 12.6. If a party is represented by an attorney, notice will be sent to the party's lead counsel. *See* TEX. R. APP. P. 9.5(b). Information available to the public about a case may be found on the "Case Information" page of the Court's website. Parties may sign up for e-mail notices about activity in their case on the "CaseMail" page of the website.

STANDARDS OF APPELLATE CONDUCT

The Court follows the Standards of Appellate Conduct adopted by the Supreme Court of Texas and the Court of Criminal Appeals. All attorneys and parties—including pro se litigants—are expected to fully comply with these standards, as well as all applicable provisions of the Texas Rules of Appellate Procedure, the Texas Disciplinary Rules of Professional Conduct, and the Code of Judicial Conduct. *See* the "Court Rules" page, "Other Rules Governing Attorneys" of the Texas Supreme Court's website, <http://www.txcourts.gov/supreme.aspx>, or call and ask that a copy be mailed to you.

Should you have questions at any time throughout the appellate process of your case, please do not hesitate to call the Clerk's office at 713-274-2700.

Sincerely,

Christopher A. Prine, Clerk of the Court

cc: Court Reporter 61st District Court (DELIVERED VIA E-MAIL)
The Honorable Harris County District Clerk's Office - Civil (DELIVERED VIA E-MAIL)
Hon. Presiding Judge, Eleventh Administrative Judicial Region (DELIVERED VIA E-MAIL)
Judge 61st District Court (DELIVERED VIA E-MAIL)



CHRIS DANIEL

HARRIS COUNTY DISTRICT CLERK

8/6/2018

NOTICE OF APPEALS ASSIGNMENT OF COURT OF APPEALS

FILED IN
1st COURT OF APPEALS
HOUSTON, TEXAS
8/6/2018 3:55:56 PM
CHRISTOPHER A. PRINE
Clerk

TO: FIRST COURT OF APPEALS

FROM: DEPUTY CLERK: DUANE C. GILMORE
CHRIS DANIEL, DISTRICT CLERK
HARRIS COUNTY, TEXAS

CASE NO: 2016-87708 COURT: 61ST TENTATIVE DUE DATE: 8/13/2018
APPEAL TYPE: ACCELERATED CASE STATUS: READY DOCKET
APPELLANT: ROYCE HASSELL
APPELLEE: MICHAEL HASSELL, PHILLIP HASSELL AND SHAWN HASSELL POTTS

EVENT FILE DATE: 8/3/2018 NUMBER OF DAYS: 10

EVENT CODES: D OA

FILED BY: **SILVIA T HASSELL** TBN: **9205200**

DATE ORDER SIGNED: 7/23/2018

COURT ASSIGNED TO: FIRST COURT OF APPEALS

IMAGE NO: 80921235 VOLUME: PAGE:

MOTION FOR NEW TRIAL FILING DATE: N/A

NOTES: NO DATE OF ORDER MENTIONED IN NOTICE OF APPEAL

CHRIS DANIEL
Harris County, District Clerk

By: /s/ DUANE C. GILMORE
DUANE C. GILMORE, Deputy

BC NOTICE OF APPEAL FILED
BG NOTICE OF APPEAL FILED – GOVERNMENT
C JUDGMENT BEING APPEALED
D - ACCELERATED APPEAL
OA NO CLERK'S RECORD REQUEST FILED W/NOTICE OF APPEAL
O CLERK'S RECORD REQUEST FILED (W/NOTICE OF APPEAL)
NA AMENDED NOTICE OF APPEAL
CR CROSS-APPEAL

CAUSE NO. 2016-87708

HASELL CONSTRUCTION CO., INC., et al,	§	IN THE DISTRICT COURT OF
Plaintiffs	§	
	§	
v.	§	HARRIS COUNTY, TEXAS
	§	
ROYCE HASELL, et al,	§	
Defendants	§	61st JUDICIAL DISTRICT COURT

NOTICE OF APPEAL

Defendant Royce Hassell desires to appeal the failure of the trial court to rule on the motion to dismiss brought by Defendant, Royce Hassell, under Chapter 27 of the Texas Civil Practice & Remedies Code to dismiss the counter-claims of Michael Hassell, Phillip Hassell, and Shawn Hassell Potts and the original claims of Jason Hassell in Cause Number 2016-87708, *Hassell Construction Company, Inc. v. Royce Hassell, et al*; in the 61st Judicial District Court of Harris County, Texas.

This is an accelerated appeal under TEX. PRAC. & REM. CODE § 27.008(b). TEX. R. CIV. P. 28.1 (“appeals required by statute to be accelerated or expedited”).

The accelerated appeal will be to the First or Fourteenth Court of Appeals at Houston, Texas.

I certify that no related appeal or original proceeding has been previously filed in either the First or Fourteenth Court of Appeals.

Respectfully submitted,

/s/ Silvia T. Hassell
SILVIA T. HASELL
Texas Bar No. 09205200
12807 Haynes Rd., Bldg. C
Houston, Texas 77066
Tel. 713-665-2442
Fax. 713-665-0369

E-Mail: sehassell@aol.com
Attorney for Royce Hassell

CERTIFICATE OF SERVICE

I hereby certify that on 3rd day of August, 2018, a true and correct copy of the foregoing instrument was served on all known counsel of record in accordance with the Texas Rules of Civil Procedure by Texas E-file and serve.

/s/ Silvia T. Hassell
SILVIA T. HASSELL

Case No. 201687708

DCORX

HASSELL CONSTRUCTION COMPANY I

IN THE DISTRICT COURT OF

VS.

HARRIS COUNTY, TEXAS

HASSELL, ROYCE

61st JUDICIAL DISTRICT

Pgs-3

DCORX

DOCKET CONTROL ORDER

The following docket control order shall apply to this case unless modified by the court. If no date is given below, the item is governed by the Texas Rules of Civil Procedure.

1. **11/12/18 JOINDER.** All parties must be added and served, whether by amendment or third party practice, by this date. THE PARTY CAUSING THE JOINDER SHALL PROVIDE A COPY OF THIS DOCKET CONTROL ORDER AT THE TIME OF SERVICE.
2. **EXPERT WITNESS DESIGNATION.** Expert witness designations are required and must be served by the following dates. The designation must include the information listed in Rule 194.2(f). Failure to timely respond will be governed by Rule 193.6.
 - (a) **12/10/18** Experts for parties seeking affirmative relief.
 - (b) **01/14/19** All other experts.
3. **STATUS CONFERENCE.** Parties shall be prepared to discuss all aspects of the case, including ADR, with the court on this date. TIME: Failure to appear will be grounds for dismissal for want of prosecution.
4. **DISCOVERY LIMITATIONS.** The discovery limitations of Rule 190.2, if applicable, or otherwise of Rule 190.3 apply unless changed below:
 - (a) Total hours per side for oral depositions.
 - (b) Number of interrogatories that may be served by each party on any other party.
5. **ALTERNATIVE DISPUTE RESOLUTION.**
 - (a) By this date the parties must either (1) file an agreement for ADR stating the form of ADR requested and the name of an agreed mediator, if applicable; or (2) set an objection to ADR. If no agreement or objection is filed, the court may sign an ADR order.
 - (b) ADR conducted pursuant to the agreement of the parties must be completed by this date.
6. **03/11/19 DISCOVERY PERIOD ENDS.** All discovery must be conducted before the end of the discovery period. Parties seeking discovery must serve requests sufficiently far in advance of the end of the discovery period that the deadline for responding will be within the discovery period. Counsel may conduct discovery beyond this deadline by agreement. Incomplete discovery will not delay the trial.
7. **DISPOSITIVE MOTIONS AND PLEAS.** Must be heard by oral hearing or submission.
 - (a) If subject to an interlocutory appeal, dispositive motions or pleas must be heard by this date.
 - (b) **03/11/19** Summary judgment motions not subject to an interlocutory appeal must be heard by this date.
 - (c) **02/11/19** Rule 166a(i) motions may not be heard before this date.
8. **02/25/19 CHALLENGES TO EXPERT TESTIMONY.** All motions to exclude expert testimony and evidentiary challenges to expert testimony must be filed by this date, unless extended by leave of court.
9. **03/04/19 PLEADINGS.** All amendments and supplements must be filed by this date. This order does not preclude prompt filing of pleadings directly responsive to any timely filed pleadings.
10. Parties shall be prepared to discuss all aspects of trial with the court on this date. TIME: Failure to appear will be grounds for dismissal for want of prosecution.
11. **04/15/18 TRIAL.** If not assigned by the second Friday following this date, the case will be reset.

SIGNED

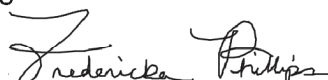
Signed: 7/23/2018



BOGDAN RENTEA
700 LAVACA ST SUITE 1400-2678
AUSTIN TX 78701-3101

5

16781000



FREDERICKA PHILLIPS
Judge, 61ST DISTRICT COURT
Date Generated 07/18/2018

Case No. 201687708

DCORX

HASSELL CONSTRUCTION COMPANY I

IN THE DISTRICT COURT OF

VS.

HARRIS COUNTY, TEXAS

HASSELL, ROYCE

61st JUDICIAL DISTRICT

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SIGNED

Signed: 7/23/2018

SILVIA T. HASSELL
12512 CUTTEN RD STE A
HOUSTON TX 77066-1822

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FREDERICKA PHILLIPS
Judge, 61ST DISTRICT COURT
Date Generated 07/18/2018

Case No. 201687708

DCORX

HASSELL CONSTRUCTION COMPANY I

IN THE DISTRICT COURT OF

VS.

HARRIS COUNTY, TEXAS

HASSELL, ROYCE

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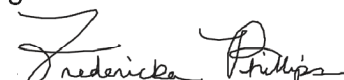
Signed: 7/23/2018



DERRICK BRYAN CARSON
600 TRAVIS ST STE 2800
HOUSTON TX 77002-2914

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24001847



FREDERICKA PHILLIPS
Judge, 61ST DISTRICT COURT
Date Generated 07/18/2018

(19) CONNECTION(S) FOUND.

CASE NUM:	201687708	PJN:		TRANS NUM:		CURRENT COURT:	61	PUB:	Please Select
CASE TYPE:	OTHER CIVIL		CASE STATUS:	READY DOCKET					
STYLE:	HASELL CONSTRUCTION COMPANY INC		VS	HASELL, ROYCE					

**** ACTIVE PARTIES ****

	PJN	PER/CONN	COC	BAR	PERSON NAME	PTY STAT	ASSOC ATTY
<input type="checkbox"/>		00013 - 0001	AGT		R HASELL PROPERTIES INC MAY BE SERVED BY		
<input type="checkbox"/>		00012 - 0001	3PD		TAURIELLO, TERRY		
<input type="checkbox"/>		00011 - 0001	AGT		RHP BY SERVING ITS REGISTERED AGENT ROYC		
<input type="checkbox"/>		00010 - 0001	3PD		RHP		
<input type="checkbox"/>		00008 - 0002	3PP	16781000	HASELL, SHAWN POTTS		RENTEA, BOGDAN
<input type="checkbox"/>		00007 - 0002	3PP	16781000	HASELL, PHILLIP		RENTEA, BOGDAN
<input type="checkbox"/>		00005 - 0003	3PP	16781000	HASELL, MICHAEL		RENTEA, BOGDAN
<input type="checkbox"/>		00009 - 0001	AGT		TRUSTEE OF JAMES C HASELL INTERVIVOS TRU		
<input type="checkbox"/>		00008 - 0001	3PD		HASELL, SHAWN POTTS		
<input type="checkbox"/>		00007 - 0001	3PD	16781000	HASELL, PHILLIP		RENTEA, BOGDAN
<input type="checkbox"/>		00006 - 0001	3PD		TRUSTEE OF JAMES C HASELL INTERVIVOS TRU		
<input type="checkbox"/>		00005 - 0001	3PD	16781000	HASELL, MICHAEL		RENTEA, BOGDAN
<input type="checkbox"/>		00004 - 0001	3PP	24001847	HASELL, ROYCE		CARSON, DERRICK BRYAN
<input type="checkbox"/>		00005 - 0002	XDF		HASELL, MICHAEL		
<input type="checkbox"/>		00002 - 0002	XPL	24001847	HASELL, ROYCE		CARSON, DERRICK BRYAN
<input type="checkbox"/>		00001 - 0002	XDF	16781000	HASELL CONSTRUCTION COMPANY INC		RENTEA, BOGDAN
<input type="checkbox"/>		00003 - 0001	DEF	09205200	HASELL, SILVIA		HASELL, SILVIA T.
<input type="checkbox"/>		00002 - 0001	DEF	09205200	HASELL, ROYCE		HASELL, SILVIA T.
<input type="checkbox"/>		00001 - 0001	PLT	16781000	HASELL CONSTRUCTION COMPANY INC		RENTEA, BOGDAN

(2) CONNECTION(S) FOUND.

CASE NUM: **201687708** PJN: TRANS NUM: CURRENT COURT: **61** PUB: **Please Select**
CASE TYPE: **OTHER CIVIL** CASE STATUS: **READY DOCKET**
STYLE: **HASELL CONSTRUCTION COMPANY INC** VS **HASELL, ROYCE**

**** INACTIVE PARTIES ****

	PJN	PER/CONN	COC	BAR	PERSON NAME	PTY STAT	ASSOC ATTY
<input type="checkbox"/>		00Q03 - 0001	PAD	24001847	CARSON, DERRICK BRYAN		
<input type="checkbox"/>		00002 - 0001	PAD	24001847	CARSON, DERRICK BRYAN		

SHERRY RADACK
CHIEF JUSTICE

TERRY JENNINGS
EVELYN KEYES
LAURA CARTER HIGLEY
JANE BLAND
MICHAEL MASSENGALE
HARVEY BROWN
RUSSELL LLOYD
JENNIFER CAUGHEY
JUSTICES



**Court of Appeals
First District of Texas
301 Fannin Street
Houston, Texas 77002-2066**

CHRISTOPHER A. PRINE
CLERK OF THE COURT

JANET WILLIAMS
CHIEF STAFF ATTORNEY

PHONE: 713-274-2700

www.txcourts.gov/1stcoa.aspx

August 7, 2018

Silvia T. Hassell
12807 Haynes Rd., Bldg. C
Houston, TX 77066-1123
* DELIVERED VIA E-MAIL *

RE: Court of Appeals Number: 01-18-00709-CV Trial Court Case Number: 2016-87708

Style: Royce Hassell
v.
Hassell Construction Co., Inc. et al

As of the date of this **NOTICE**, appellant(s) has not paid the required \$205 filing fee to prosecute this appeal. *See* TEX. R. APP. P. 5 (requiring payment of fees at time of filing, unless excused); *see also* TEX. GOV'T CODE ANN. § 51.207 (Vernon Supp. 2011), § 51.941(a) (Vernon 2005), § 101.041 (Vernon Supp. 2011) (listing fees in court of appeals); Order Regarding Fees Charged in Civil Cases in the Supreme Court and the Courts of Appeals and Before the Judicial Panel on Multidistrict Litigation, Misc. Docket No. 07-9138 (Tex. Aug. 28, 2007), *reprinted in* TEX. R. APP. P. app. A § B(1) (listing fees in court of appeals).

This is **NOTICE** to the appellant that this appeal is subject to dismissal, if the filing fee has not been paid **within 20 days** of this NOTICE. *See* TEX. R. APP. P. 5 (allowing enforcement of rule); 42.3 (allowing involuntary dismissal). Unless an appellant is exempt from paying filing fees or has established an inability to pay filing fees, the appellant must pay the required \$205 filing fee to prosecute the appeal. *See* TEX. R. APP. P. 5 (requiring payment of fees in civil cases unless excused) and 20.1 (listing requirements for establishing an inability to pay costs).

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher A. Prine".

Christopher A. Prine, Clerk of the Court